NATIONAL TRANSPORTATION SAFETY BOARD

IN RE:	
THE EL FARO INCIDENT OFF THE COAST OF THE BAHAMAS ON OCTOBER 1, 2015	NTSB Accident No. DCA16MM001

INTERVIEW OF: RON RODRIGUEZ

Tuesday,
October 13, 2015

Jacksonville, Florida

BEFORE:

MIKE KUCHARSKI, NTSB
[redacted] U.S. Coast Guard

PRESENT ON BEHALF OF THE INTERVIEWEE:

GIL FELTEL, ESQ., Tanner Bishop

This transcript was produced from audio provided by the National Transportation Safety Board.

P-R-O-C-E-E-D-I-N-G-S

4:07 p.m.

MR. KUCHARSKI: Well, good afternoon, gents. It's now 1607 on the 13th of October, 2015. We are at the Jacksonville Marriott Hotel and we're getting ready to interview Ron Rodriguez from TOTE Maritime or TOTE Marine Puerto Rican operations, the Puerto Rican operations.

And just some preliminary tidbits, if you will, the NTSB conducts its investigation to determine probably cause to get to the bottom of what - hopefully get to the bottom of what happened in this accident. We really can't enforce anything. We have no powers to do anything outside of really recommending and determining what the probable cause.

Now, that being said, this interview becomes public. It goes into our docket system. It's online. Anybody can go and look at it. Your name will appear there. Everyone's name will appear there essentially except for basically the Coast Guard officers. Any of the Coast Guard officers or any other federal officers will not appear. Mine will, mine will.

And that doesn't mean that another agency can't have some kind of an enforcement issue. There's no privilege, in other words, with this information,

okay? You're allowed to have a personal representative. Well, let me back up. Let me back up.

On the actual transcript, if you want a copy of the transcript before it goes public, tell me so, or tell TOTE, and I'll make sure you get a copy. It goes to you or it could go to TOTE and you all can look at it and go ahead and see if there are any changes that you think should be made.

They're basically - I can tell you they're going to be changes of maybe a misspelling or sometimes words like gripes, or chains, or binders, or something that gets changed a little bit. We'll review it. We - I've always made changes or suggest it because they were quite clear, okay, but I won't guarantee it's 100 percent, but it's pretty much 100 percent. It's very close.

MR. RODRIGUEZ: Okay.

MR. KUCHARSKI: Okay, but we don't let people go back and change their answers based on they thought about it more. We can re-interview you if you want to open it back up. That's fine. It's not a win or lose situation. Again, it's just, it's to try to determine probable cause.

MR. RODRIGUEZ: Yes.

MR. KUCHARSKI: You're allowed to have a

personal representative. I believe you have one here. He will introduce himself. The personal representative doesn't take part in the actual interview here. He can't testify on your behalf. He can object. We - this is not a legal proceeding, so we won't pay attention to any of that. And - although you're welcome to confer with him before you actually answer. That's fine. That's fine.

And if there's really something you think needs major clarification, or your personal representative, we'll shut the tape down and we'll discuss it because it's not to try to trick or fool. I may mistakes when I ask a question. It's, like I said, it's not trying to trick anybody. You're just trying to get the right answer, the answers that you really - will help us determine what actually happened.

MR. RODRIGUEZ: Yes.

MR. KUCHARSKI: Okay, any questions?

MR. RODRIGUEZ: No.

MR. KUCHARSKI: So you're aware that we may re-interview you. That can always happen.

MR. RODRIGUEZ: Yes.

MR. KUCHARSKI: All right, so why don't we start from my right and then we'll go left. There's only four of us here in the room, so -

MR. [redacted] Good to see you again. [redacted] [redacted] with the Coast Guard, part of the operations group.

MR. FELTEL: Gilbert Feltel, Tanner Bishop law firm, here as Mr. Rodriguez's personal representative.

MR. KUCHARSKI: Thank you.

MR. RODRIGUEZ: Ron Rodriguez, terminal manager for TOTE Maritime in Jacksonville.

MR. KUCHARSKI: Okay, Mr. Rodriguez, again, would you spell your full name for us?

MR. RODRIGUEZ: Ronald, R-O-N-A-L-D, Rodriguez, R-O-D-R-I-G-U-E-Z.

MR. KUCHARSKI: E-Z?

MR. RODRIGUEZ: E-Z.

MR. KUCHARSKI: Okay, great.

MR. RODRIGUEZ: G-U-E-Z. G-U-E-Z.

MR. KUCHARSKI: Thank you. And again, my name is Mike Kucharski. Mr. Rodriguez, going back to just the El Faro's call, this last port call on the 28th and 29th of October, that's what I'd really like to concentrate - of September, September. That's what I'd really like to concentrate on, so back to the 28th and 29th of September port call in Jacksonville. Now, I understand you're the terminal manager. Is that

correct?

MR. RODRIGUEZ: That is correct.

MR. KUCHARSKI: And you already gave us a description of what you do as terminal manager. I don't think we need to revisit that. I think we're pretty well clear. And I understand from, I understand from our last interview that you were working for another person who reports to you, I believe, but he was on vacation?

MR. RODRIGUEZ: That is correct.

MR. KUCHARSKI: And the person's name again?

MR. RODRIGUEZ: Donald Matthew.

MR. KUCHARSKI: Donald Matthews, okay, and he was on vacation, and he reports to you normally?

MR. RODRIGUEZ: Yes.

MR. KUCHARSKI: Okay, and you were doing the work of the - his position, which was marine operations manager?

MR. RODRIGUEZ: That is correct.

MR. KUCHARSKI: Great, great, I just want to make sure I've got it right. It's been a little bit complex for us with the different relationships of the different people, TOTE Services, TOTE Maritime, and the different operations. I think we have it now, but if we fall down, tell us.

MR. RODRIGUEZ: Okay.

MR. KUCHARSKI: And by the way, if there's anything you can think of, little things can mean a big difference. If there are things that you thought, "Gee, something looked funny, or something is different from what I've noticed before," those can be huge clues in the overall determination. Can you tell me during that actual port stay of the El Faro, could you tell me if you computed the stability for the vessel?

MR. RODRIGUEZ: Yes, I did.

MR. KUCHARSKI: Okay, and you computed it how?

MR. RODRIGUEZ: Okay, Portus is our vendor that's to be loading. The terminal operators is stowing the containers on Spinnaker. That's the soft board that we use to stow the container.

MR. KUCHARSKI: Spinnaker?

MR. RODRIGUEZ: Spinnaker. I print the stow from Spinnaker and I put the tonnage on CargoMax. ***11:33:16, okay. During that process also, I identify the hazmat separation on the vessel.

MR. KUCHARSKI: Okay, so when you say you take that weight for that stow position, would that be correct, stow position? It could be a container. It could be a roll on/roll off or something. So for that

stow, you have the weight for it.

MR. RODRIGUEZ: That's correct.

MR. KUCHARSKI: And then does - is the program called CargoMax? Did I remember that correctly?

MR. RODRIGUEZ: That is correct.

MR. KUCHARSKI: Okay, the CargoMax program, does that weight get attached to a particular stow on the ship?

MR. RODRIGUEZ: Yes.

MR. KUCHARSKI: In the CargoMax?

MR. RODRIGUEZ: Yes.

MR. KUCHARSKI: So if you had stow position - I'll make one up - 500, that weight you could put in stow position 500 on the program?

MR. RODRIGUEZ: That is correct.

MR. KUCHARSKI: Okay, so you got the weights from the - was this - this is Portus I'm assuming? Portus is the company that does the stow plan?

MR. RODRIGUEZ: Yes.

MR. KUCHARSKI: Okay, and did you mention somewhere in the last interview that the containers and trailers, everything was weighed as it came into the terminal?

MR. RODRIGUEZ: That is correct.

MR. KUCHARSKI: Okay, so those numbers then on those containers or trailers, somebody has that information. I assume Portus does as part of their stow plan or do you get that weight from somewhere?

MR. RODRIGUEZ: Okay, this is how it would work. Whatever comes in, it comes to the terminal is scale, have a weight, okay? Mainsail Vanguard has the terminal software, transport that information with the cargo and container weight to Spinnaker. Then Spinnaker have the container number and the total weight for that container.

And Portus select that container per weight, size, and type, you know, based off of the pre-stow that we made, and they stow on the lo/lo portion, and container by container. He select it from the stack and they put it on the position on lo/lo, in a specific position in the lo/lo position.

MR. KUCHARSKI: So when you say lo/lo, we're talking about containers then?

MR. RODRIGUEZ: Container, and lo/lo off the operation, container top container.

MR. KUCHARSKI: Okay, and then once he puts it on there in Spinnaker, then do you see that on your computer somehow?

MR. RODRIGUEZ: Yes, we have the same

software. I have in my computer the same software that they have as I follow what they do. I just only print that, okay? When I print the stow plan, then I go to see the hazmat segregation to make sure that the hazmat does comply with the segregation, and then I use the weight for that particular container and I stow on CargoMax because it's more of the similar stow positions, you know. If they go 11 and 82 on bay eight, then I go bay eight 11 and two and I plug that number in that position.

MR. KUCHARSKI: Is this a continuous operation from when you start the cargo or do you wait until the end where you're putting these weights -

MR. RODRIGUEZ: It is consistently operation during the day because the hazmat is a really good deal, a big deal that it have the segregation, and also we have that weight during the day periodically. That's ongoing on the lo/lo part, and ro/ro is another process that's more a manual process from Portus to us.

MR. KUCHARSKI: So the pre-stow plan, I understand from Portus that they don't have weights entered in at first on the pre-stow plan.

MR. RODRIGUEZ: No, the pre-stow plan from Portus, they use - they make a pre-stow based off the booking numbers. This amount of 53. This amount of

reefer. This amount of 40. This amount of 45, okay? When we saw that pre-stow, we pick up that pre-stow, and we put a generated weight to CargoMax in order to see how the vessel react, okay? When the actual stow plans come, then we put the actual weight per container slot.

MR. KUCHARSKI: So when you say "actual" is that the final stow plan or -

MR. RODRIGUEZ: It can be a final stow plan. It depends on if we make some relocation or shifting, then we put the right information again into the stow plan on CargoMax.

MR. KUCHARSKI: So the ship, when that ship starts cargo operations, starts the loading operations, let's concentrate on the load because you have the discharge of the cargo first -

MR. RODRIGUEZ: Yes.

MR. KUCHARSKI: - and then you have the load of the cargo coming on.

MR. RODRIGUEZ: That is correct.

MR. KUCHARSKI: Okay, so after that vessel finishes - the El Faro on this particular date, on the 28th/29th, it finishes cargo, it starts to load. At that time, are weights attached to the pre-stow plan?

MR. RODRIGUEZ: There is a weight attached

to whatever stow they make already with regular container number and weight. I put it into CargoMax, yes.

MR. KUCHARSKI: Okay, so at the start of cargo, there's already weights attached to the pre-stow plan?

MR. RODRIGUEZ: When we start the cargo, we told the chief mate that we'd be having the same amount of volume that last week. It's normally the same volume and tonnage, okay, and then we started loading the container on Spinnaker. I start printing and I put the right information on CargoMax, you know, to have the accurate information for slot bay.

MR. KUCHARSKI: Right, so it's just a preliminary. You tell the chief mate, "It's going to be about the same."

MR. RODRIGUEZ: That's correct.

MR. KUCHARSKI: But he doesn't really have anything in his possession at that time to put on his computer?

MR. RODRIGUEZ: No, because on that particular day on the 28th or the 29th, we saw the volume. It was the same amount of volume that we had in the previous week, okay, and we also told the amount of tonnage that we put on the on board times because we

have that report in advance, and I gave it to him and said, "Okay, chief, this is the tonnage. This is what we have right now. This is the information I have."

Again, in that particular time, I told the chief mate, "For ballast working, please have the times and 150 tons," and we make that calculation based on the information that the chief mate and the chief engineer send to us with fuel, water, and those kind of information from the vessel. We put it on CargoMax.

We have more or less the same vessel weight from the last, the previous one, and then we say, "Okay, just only have 150 tons, okay." We already have the on board tanks. And then every beta we start loading, I make the adjustments. If there is something we need to adjust, I let them know immediately, and that's the way we operate in that particular day.

MR. KUCHARSKI: So the 150 tons, is that the tanks, and they're trim tanks that you're talking about? What 150 tons are you talking about?

MR. RODRIGUEZ: 150 tons of?

MR. KUCHARSKI: Well, you mentioned 150 tons. What - you said that you have the information.

MR. RODRIGUEZ: 150 tons is the weight that they have in the working ballast.

MR. KUCHARSKI: Working ballast.

MR. RODRIGUEZ: Yes.

MR. KUCHARSKI: Is that their trim tanks?

MR. RODRIGUEZ: That's their trim tanks. That's correct.

MR. KUCHARSKI: Okay.

MR. RODRIGUEZ: That's 150 tons that we tell the chief mate, "In order to have the GA margin and available that way, please have those working ballasts at 150 tons." If for some reason during the day because the cargo fell down or we have more weight on a container that we do not have onto the containers that are right to the terminal, then the chief mate and myself, we have some kind of communication. "Okay, take more water if the cargos fall down," or, "Take less - take water out in order to have it available that way in the GA margin."

MR. KUCHARSKI: Okay, and any information on the fructose yet, what's going to be loaded out? Is that already in - is that put in the program?

MR. RODRIGUEZ: The fructose weight, we put the fructose weight prior to the vessel arrive because we have that information the day before the vessel arrive. And then on Monday before the vessel started charging, I had that already, the fructose information. When I arrived to the vessel on that particular Monday,

I gave a copy to the chief mate. "Listen, this is the times that we will load and this will be the weight."

MR. KUCHARSKI: Okay, so the fructose you know for sure the weights on - that will be loaded on the vessel. Like you said, that goes in very quickly because you already know what it's going to be.

MR. RODRIGUEZ: Yes.

MR. KUCHARSKI: The other weights though, you put them in throughout the day?

MR. RODRIGUEZ: That's correct.

MR. KUCHARSKI: So when the ship comes in, you said you bring the mail out, you distribute the mail.

MR. RODRIGUEZ: That's correct.

MR. KUCHARSKI: And you don't give them any kind of stability information at that time?

MR. RODRIGUEZ: At that time, I tell the chief mate, "Have the working ballast at 150 tons because we have the same amount of volume. This amount of reefer, 230 reefer. We're completely full on reefers. We have six onboard tanks with this amount of tonnage. We have four cars at 140," because we had that number, a booking previous to the vessel's arrive. Then we're expecting to have the same vessel that we had the previous week.

MR. KUCHARSKI: But when you say "volume" you're talking about sizes, right?

MR. RODRIGUEZ: Sizes -

MR. KUCHARSKI: The volume. You're not specifically at that time talking about the weight because you don't know what the weights are going to be.

MR. RODRIGUEZ: Exactly, the containers arrive on the terminal.

MR. KUCHARSKI: Right, right.

MR. RODRIGUEZ: I don't have that information.

MR. KUCHARSKI: Right.

MR. RODRIGUEZ: That's the preliminary that we put 23, 15, and 10, okay. We don't have that information. We make that approximate weight. But during the operation, we plug the right information per cell.

MR. KUCHARSKI: Okay, this is starting to make a little bit of sense now because we went on board the ship, the El Yunque. We've talked to all of the Portus people and now it's starting to make a little bit of sense. The Portus people said that they just know footprints, so volume, when you say footprints, the size of the containers, you know, how many

containers overall, but they don't know the exact weights at that particular time.

MR. RODRIGUEZ: Prior to the vessel arrive, there is no way because 65 percent of the cargos arrive in vessel operation.

MR. KUCHARSKI: Okay, great, great.

MR. [redacted] Can I ask a couple quick clarifying questions just to tie together some of the interviews? This is [redacted] with the Coast Guard. When we interviewed Portus, they talked about painting the ship, right?

Is that - that was basically what he was saying as far as you have basic shapes of the containers, and he uses the one computer system to, I think, you just described drag in. Is that what you understood it as, is painting the ship is when he uses the system you just called Spinnaker?

MR. RODRIGUEZ: Spinnaker.

MR. [redacted] Is that painting the ship?

MR. RODRIGUEZ: It is painting the ship. It's a pre-stow, okay. And if you have this amount of 53, 53 have a quarter.

MR. [redacted] Right.

MR. RODRIGUEZ: And then you need to pre-stow those 53 in the right bay on lo/lo. Then - but

they don't put any weight. It's only painting.

MR. [redacted] And that's just for the lo/lo side.

MR. RODRIGUEZ: That's for the lo/lo side.

MR. [redacted] Do you paint on the -

MR. RODRIGUEZ: For ro/ro we don't have - the software doesn't have the capability to working with ro/ro. Ro/ro is a completely hand operation per at the time that we decide this container goes to ro/ro, we build that container. That container will be in the stack.

MR. [redacted] Yeah.

MR. RODRIGUEZ: We put it on the chassis. We put the ro/ro box attached to the chassis. And then Portus guy - we call it the Bible, okay? The Bible said the container number, the chassis, okay, and the weight, and that weight have the container weight, the chassis weight, and the ro/ro weight, and that's the way they put on the specific ro/ro position. Well, that's a complete memo. I don't know that weight completely until the stow plans come to me during the vessel operation.

MR. [redacted] Got you, okay. One other clarifying question, you had mentioned Spinnaker. They had mentioned a system called Tidework when we

interviewed Portus.

MR. RODRIGUEZ: Tideworks is -

MR. [redacted] That's different?

MR. RODRIGUEZ: - like, we call it like an umbrella. That's a terminal operating system that TOTE Maritime have, okay? In Tideworks, we have based in Vanguard that the software, Mainsail Vanguard, Mainsail Vanguard -

MR. [redacted] Can you spell that? I'm not -

MR. RODRIGUEZ: Main safe Vanguard.

MR. [redacted] Main safe, S-A -

MR. RODRIGUEZ: Okay, main as in main -

MR. [redacted] M-A-I-N?

MR. RODRIGUEZ: Exactly, S-A-F-E, Van, V-A-N, Guard.

MR. [redacted] Guard, okay.

MR. RODRIGUEZ: That software is for the terminal. That's the equipment coming to the terminal. That software is the one to identify the weight on the scale and put that weight on the software, okay? After that information is in Mainsail Vanguard, he sends the ADI to Spinnaker. Spinnaker is a stow and yard position, okay?

In other words, as soon as that content hits the scale and the checker assigns the container a

specific position, that information run right away to Spinnaker. Then the guy who stow the vessel, Butch, he can see from the stack the container, size and type, and the weight, and the hazmat, and then the grabs that information and pass to the vessel stow, okay? He grab and pass, grab and pass on lo/lo.

I have the same window that Butch or the Portus supervisors stow. Then every time that he make an update, I print that stow plan, the plan completely, and look the segregation is fine, and then I plug the weight, because that's the final weight, in CargoMax, and that's a continually operation during the entire day operation.

MR. [redacted] So if I understand right, Spinnaker and Mainsail Vanguard are part of Tideworks, but CargoMax is its own -

MR. RODRIGUEZ: CargoMax is a completely independent software. They don't have any view. They don't have any interacting.

MR. KUCHARSKI: Someone just came into the interview. It's 1730. Would you tell us who you are please.

MR. STITH: Kevin Stith with TOTE Services, the operations group.

MR. KUCHARSKI: [redacted]

MR. [redacted] All set.

MR. KUCHARSKI: Mike Kucharski again. Did you keep any kind of written or electronic log for the vessel terminal operations during this last visit?

MR. RODRIGUEZ: We have - we keep it in the file, the electronic of CargoMax, and we have it electronically.

MR. KUCHARSKI: Notes, operations, things that are going on, you know, the terminal items.

MR. RODRIGUEZ: For this particular vessel, is nothing different than the other operations before.

MR. KUCHARSKI: I've got to ask you that for the record for this one.

MR. RODRIGUEZ: No, that's okay, but no, we don't have any notes for that particular operation, the 28th/29th.

MR. KUCHARSKI: Okay, did you go out to the ship then with - when cargo was finished, the last load aboard? Did you go out to the ship with the final stow plan and the final stability calculations?

MR. RODRIGUEZ: Yes, we always supply it to the chief mate the stow plans, lo/lo and ro/ro, the pen drive with the CargoMax information, and a hard copy of the - three hard of the reefer manifest, two hard copy of the DCN, the general cargo manifest, and a copy or

hard copy of the stability information, okay, printed from CargoMax.

But before the end of operation, we consistently have communication with the chief mate how the vessel is reacting, you know, how is the GM at 3:00, at 4:00. Especially in the end of the day, we cannot wait until the last containers come, cannot make any adjustments.

We will have a communication about the GN margin, and available dead weight, and the list of the vessel that would be level in the end. It's consistently, consistent communication via radio or by cellular.

MR. KUCHARSKI: Okay, and what do you do to correct GM not list?

MR. RODRIGUEZ: GMs, you know, it is - we go to the old cargo information again deck by deck, lo/lo by lo/lo, to make sure that we plug the right information because only fat finger can make a huge different, okay. We go with the fuel information. We go with the water information.

And again, if for some reason the GM margin continues in red or less of the parameters point 50, we take cargo off. We don't play with that, and that's very specific. We don't play with the GM margin. We

don't play with a list. We don't play with the available dead weight.

It's a parameter that we have, point 50 or above until the vessel can depart. We don't make a call to the captain to say, "Do you think?" No, it's point 50 or above.

MR. KUCHARSKI: What's point 50?

MR. RODRIGUEZ: Point 50 is the GM margin the vessel can allocate without problem based on the chief main and the captain's information.

MR. KUCHARSKI: Okay, so the point 50 doesn't have any distance, inches, feet, yards? What's point 50?

MR. RODRIGUEZ: For me and particular in the operation, point 50, that's the parameter I have. The chief mate can give more explanation on what it means, point 50, or anyone to navigate. I'm not a navigator.

MR. KUCHARSKI: So where does it go into the red, at where?

MR. RODRIGUEZ: Red is we're going to the point 50 or less for us, for the operation, is not - we no go there.

MR. KUCHARSKI: So less than point 50?

MR. RODRIGUEZ: Less than point 50, the vessel never depart.

MR. STITH: Ron, do you know - Kevin Stith with TOTE Services - if that point 5 is feet, inches, meters or what units - what units that is, that's in?

MR. RODRIGUEZ: Right now I don't have that information.

MR. STITH: Okay.

MR. RODRIGUEZ: We have a parameter for us of point 50 is the legal margin.

MR. STITH: And that's on the stability summary?

MR. RODRIGUEZ: That's correct.

MR. STITH: Okay.

MR. [redacted] with the Coast Guard. So if I - when we get the printouts for the stability summary from CargoMax, right, we'll be able to see point 50? It'll show the units on there for us?

MR. RODRIGUEZ: On the condition, the departure condition on the right of CargoMax, you'll see the GM margin and you'll see point 50, point 40, whatever information that the software is reacting based on the information that we put on it based on weight.

MR. STITH: So that would be the departure condition in CargoMax?

MR. RODRIGUEZ: That's correct.

MR. KUCHARSKI: Did you, when you went out to the ship, did you look at the drafts before she sailed?

MR. RODRIGUEZ: On that particular day, the chief mate was give us the draft because I wait for the damage cargo manifest. Most of the time we went together to have the draft.

On that particular day, the chief mate is the one to supply the draft for us or for me. And he took the aft, forward, and the midship draft, and he compared with the document that we supplied to them with CargoMax.

MR. KUCHARSKI: Did he give you a midship draft, port, and starboard?

MR. RODRIGUEZ: Yes, sir.

MR. KUCHARSKI: We had talked earlier in the last interview about port mates. Did the vessel have a port mate?

MR. RODRIGUEZ: I beg your pardon?

MR. KUCHARSKI: Did the vessel have a port mate on that date?

MR. RODRIGUEZ: Okay, in that particular vessel, I need to go back to the crew list, and the reason I say it, when we have a port mate, the captain is the one to add that personnel on the crew list.

From my mind right now, I cannot tell you yes or no.

MR. KUCHARSKI: Okay.

MR. [redacted] Sorry, [redacted] with the Coast Guard. I just wanted to back up the drafts real quick. You compare the actual drafts with CargoMax. Is it typically the same on a typical voyage, right? I'll ask about this specific one as well. But do you typically find the CargoMax matches the -

MR. RODRIGUEZ: It's very accurate.

MR. [redacted] It's pretty close?

MR. RODRIGUEZ: It's very close.

MR. [redacted] Can you put any kind of parameters on it? You know, do you recall how close those drafts are?

MR. RODRIGUEZ: Not really. No, I don't have that information with me.

MR. [redacted] Are they within, like, a quarter of an inch, a half inch, two inches, five inches -

MR. RODRIGUEZ: I know we have some -

MR. [redacted] - two feet?

MR. RODRIGUEZ: - some information, but I cannot tell you right now what's the parameter -

MR. [redacted] Okay.

MR. RODRIGUEZ: - difference that we have

between CargoMax and the draft.

MR. [redacted] Okay, thanks.

MR. KUCHARSKI: Mike Kucharski. So the ro/ro cargo as you mentioned, I believe you mentioned, is a hand or manual entry to the - or a hands on type entry, the ro/ro? The lo/lo is not.

MR. RODRIGUEZ: The lo/lo is more a computer type, you know. They grab the information that's being accurate from the stack and put it on the ro/ro - on the lo/lo position. Then he pass that information to the rest of the employee of the operation.

Ro/ro is more hand operation. It's a person from Portus or stevedore loading to have a list of container that we built. When we say "built" it's put on a chassis, you know, to have wheels, you know, to go on ro/ro that we can drive on and drive off.

We attach the roller box on the chassis. Then the guy from Portus has the container number in the list, a chassis number, size and type, and the weight for that particular container. And the weight is - have a complete and total weight of the container and the cargo. They add the chassis weight and they add the 2,000 pounds of the roller box.

MR. KUCHARSKI: Okay.

MR. RODRIGUEZ: That's a final weight for

that unit go to the ro/ro specific position. They stow, you know, they make it - they stow by hands with a container chassis, weight, and size and type, and they give a copy, and they give that copy to me.

And that's information that make a calculation based on port side, starboard side, or center line of the vessel in ro/ro, and then I see how many containers, tonnage, cars, tonnage, other that is mixed, and tonnage for port side, center line, and starboard side.

MR. KUCHARSKI: Anything else?

MR. [redacted] No.

MR. STITH: That covers it for me.

MR. [redacted] Nothing from me.

MR. KUCHARSKI: It's 1640. I'm finished with the interview. Thank you very much for coming back again.

MR. RODRIGUEZ: You're welcome.

MR. KUCHARSKI: Hopefully this won't happen again, but I think we have a very, very clear picture now. Thank you.

MR. RODRIGUEZ: You're welcome.

(Whereupon, the above-entitled matter went off the record at 4:40 p.m.)

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C E R T I F I C A T E

MATTER: El Faro Incident
Accident No. DCA16MM001
Interview of Ron Rodriguez
Jacksonville, Florida

DATE: 10-13-15

I hereby certify that the attached transcription of page 1 to 35 inclusive are to the best of my professional ability a true, accurate, and complete record of the above referenced proceedings as contained on the provided audio recording; further that I am neither counsel for, nor related to, nor employed by any of the parties to this action in which this proceeding has taken place; and further that I am not financially nor otherwise interested in the outcome of the action.

[redacted]